
DRAFT STATUTORY INSTRUMENTS

2018 No.

**The West Midlands Combined Authority (Business Rate
Supplements Functions and Amendment) Order 2018**

PART 2

Business Rate Supplements Functions

Conferral of BRS power of Greater London Authority

3.—(1) The WMCA has, in relation to its area, functions corresponding to the functions conferred on the Greater London Authority in relation to Greater London by the BRS Act.

(2) Paragraph (1) does not apply in relation to the function conferred by section 3(5) of the BRS Act.

General functions of the Combined Authority exercisable only by the Mayor

4.—(1) The functions of the WMCA specified in article 3 are exercisable only by the Mayor⁽¹⁾.

(2) The members or officers of the WMCA may assist the Mayor in the exercise of the functions specified in article 3.

(3) For the purposes of the exercise of the functions specified in article 3 the Mayor may do anything that the WMCA may do under section 113A of the 2009 Act (general power of EPB or combined authority)⁽²⁾.

(4) The Mayor must not make arrangements under section 107D(3)(b) of the 2009 Act (functions of mayors: general) in relation to the functions specified in paragraph (1), in relation to a political adviser appointed under article 23(1) of the West Midlands Combined Authority (Functions and Amendment) Order 2017⁽³⁾.

Adaptation of BRS Act in consequence of article 3

5. For the purposes of article 3, the BRS Act applies to the WMCA as if—

- (a) references to the Greater London Authority in section 2(1) (levying authorities) and in section 5(2) (prospectus) of the BRS Act include references to the WMCA;
- (b) references in that Act to a lower-tier authority include references to a district council whose area forms part of the WMCA's area.

(1) The West Midland Combined Authority (Election of Mayor) Order 2016/933 provided for there to be a mayor of the combined authority. The first mayor was elected on 4th May 2017.
(2) Section 113A was inserted by section 13 of the Localism Act 2011 and amended by section 23 of, and paragraph 25 of Schedule 5 to, the Cities and Local Government Devolution Act 2016.
(3) [S.I. 2017/510](#).

Amendment of the West Midlands Combined Authority (Functions and Amendment) Order 2017

6.—(1) The West Midlands Combined Authority (Functions and Amendment) Order 2017 is amended as follows.

(2) In paragraph (4) of article 21 after “and 23” insert “and the functions conferred on the combined authority by article 3 of the West Midlands Combined Authority (Business Rate Supplements Functions and Amendment) Order 2018”.